

**Minutes**  
**State Board of Education**  
**Monday, February 28, 2005**

The Arizona State Board of Education held its monthly meeting at the Arizona Department of Education, 1535 West Jefferson, Phoenix, AZ 85007. The meeting was called to order at 9:10AM.

**Members Present**

Mr. Jesse Ary  
Ms. Nadine Mathis Basha  
Ms. JoAnne Hilde  
Superintendent Tom Horne  
Ms. Joanne Kramer  
Ms. Anita Mendoza  
Dr. Karen Nicodemus  
Ms. Cecilia Owen  
Dr. John Pedicone

**Members Absent**

Dr. Michael Crow  
Dr. Matthew Diethelm

**Board Business**

Pledge of Allegiance, moment of silence and roll call.

1. APPROVAL OF MINUTES

- A. January 24, 2005 Regular Meeting
- B. January 31, 2005 Special Meeting

Motion by Dr. Pedicone to approve the minutes from the January 24, 2005 and the January 31, 2005 meetings as submitted. Seconded by Ms. Basha. *Motion passes.*

2. BUSINESS REPORTS

- A. President's Report

Ms. Hilde, Vice President, noted that Ms. Nadine Mathis Basha has been named Woman of the Year by the East Valley Leadership. Ms. Hilde added that it is the honor and benefit of the State Board of Education to have Ms. Basha as a member. Ms. Basha stated that she was very surprised and deeply honored to be named for doing what she loves to do.

In addition, Ms. Hilde presented Ms. Basha with a gift on behalf of the State Board in recognition of Ms. Basha's service as President of the State Board for the past year. Other Board members expressed their best wishes and congratulations to Ms. Basha.

- C. Superintendent's Report

Superintendent Horne deferred his comments that will be made in reference to particular agenda items as they are discussed.

- B. Board Member Reports

Dr. Pedicone reported on a meeting he attended with the Tucson Unified School Board regarding budgetary and AIMS issues. Dr. Pedicone, as a member of the State Board, provided perspective and added that this was a productive meeting in helping the public become more aware of some of the issues the district is facing.

Ms. Basha explained that the State Board is part of WestEd where the latest research is available to the Board on many education-related subjects. Ms. Basha noted that some recent research on early childhood segways into public education and the P-20 topics addressed by this Board. Ms. Basha stated that she will share further information from WestEd with the Board and that she is happy to represent the Board in discussions with WestEd.

Ms. Hilde will attend the National Association of State Boards of Education (NASBE) Legislative Conference as a member of the Governmental Affairs Committee. Ms. Hilde added that she would

welcome any statements from members that she can take to the conference as Arizona's voice to this committee.

C. Director's Report, Including Discussion and Possible Legal Action

1. Update Regarding Education Related Legislation

Mr. Vince Yanez, Executive Director, updated members regarding the State Board's rulemaking process, stating that the proposal has been amended to insure that there are at least two opportunities for public comment should the Board be exempt from the current rulemaking process. The amendment has been accepted and has passed both the Senate Education and Senate Government Accountability and Reforms Committees.

Mr. Yanez added that he is preparing a comprehensive overview of all other legislative items that may be of interest to the Board and will be forwarding this overview to members by the end of this week.

Mr. Yanez announced that Ms. Lisette Flores has been appointed as the new Chief Investigator of the Investigative Unit. Mr. Yanez noted that Ms. Flores has been in the Investigative Unit for over a year, has a legal background and that she will be very competent in this new position.

3. SPECIAL PRESENTATION: MILKEN NATIONAL AWARD RECIPIENTS

This presentation will be made at the March 2005 State Board meeting.

4. CONSENT ITEMS

- A. Consideration to Approve State Board of Education Intergovernmental Agreement To Expand the Number of K-3 Teachers of Reading.
- B. Consideration to Approve Additional Monies for Teacher Compensation for the Fiscal Year 2005-2006 Pursuant to A.R.S. §15-952 and A.R.S. §15-537.
- C. Consideration to Accept Monies Under Title IID, Enhancing Education Through Technology, NCLB.
- D. Consideration to Accept Receipt of Federal Funds Related to the Fruit and Vegetable Program and to Authorize the Appropriate Expenditures of these Funds in Accordance with the Terms and Conditions of the Program.
- E. Consideration to Accept the Recommendations of the Professional Practices Advisory Committee and Approve Certification for the Following Individuals:
  - 1. Pamela White, Case # C-2004-144R
  - 2. John Swift Wilson, Case # C-2004-139R
- F. Consideration to Accept the Recommendations of the Professional Practices Advisory Committee and Accept the Proposed Negotiated Settlement Agreement and Place a Letter of Censure in the Permanent Certification File of the Following Individuals:
  - 1. Marcus Coblyn, Case #C-2004-164
  - 2. Richard Kravitz, Case #C-2003-099
  - 3. Steve Zimmerman, Case #C-2004-065

Ms. Kramer noted that she is acquainted with Mr. Steve Zimmerman but that her vote would not make a difference.

Motion by Ms. Basha to approve the Consent Agenda. Seconded by Dr. Pedicone. *Motion passes.*

5. CALL TO THE PUBLIC

There were no requests received at this time.

6. GENERAL SESSION

- A. Consideration to Accept the Recommendation of the Professional Practices Advisory Committee and Revoke the Teaching Credentials Held by Paul B. Mills, Case #C-2002-036.

Ms. Lisette Flores, Chief Investigator, Investigative Unit, Arizona State Board of Education, presented the background information per the materials submitted in the packet.

Motion by Dr. Pedicone to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and revoke the teaching credentials held by Paul B. Mills. Seconded by Ms. Kramer. *Motion passes.*

B. Presentation, Discussion and Consideration To Approve School Improvement Plans for State Board of Education Sponsored Charter Schools That Received Underperforming Profiles.

Mr. Lee McIlroy, Research Analyst, State Board for Charter Schools, presented the background information. (Please see complete information in packet). Mr. McIlroy noted that these funds would be permanently withheld from the schools.

Motion by Ms. Basha to approve the school improvement plans for State Board of Education sponsored charter schools that received underperforming profiles. Seconded by Dr. Nicodemus. *Motion passes.*

Additional information was requested by members to include the location of the schools, ethnicity, certification information of teachers and administration, etc., in an effort to better understand what may have caused the schools to be unable to comply with the requirements. Mr. McIlroy stated he would forward this information to Mr. Yanez.

C. Update Regarding Development of the State Educator Performance Assessment.

Superintendent Horne noted that Ms. Kathy Wiebke was honored recently by ASU East's College of Education for her work in raising the professional standards in Arizona. In addition, Mr. Horne reiterated some of Ms. Wiebke's achievements including the Christa McAuliffe Award, Ambassador of Excellence, Teacher of the Year, Arizona's First National Board Certified Teacher, and the Disney Award which is given to one person out of 25,000 applicants. Ms. Wiebke has also been an organizer of the Paradise Valley mentor teacher program, a principal and most recently she has served as the Deputy Associate Superintendent for Highly Qualified Professionals with the Arizona Department of Education. Mr. Horne noted that Ms. Wiebke will soon be the Executive Director of the Arizona K-12 Center and offered his congratulations.

Ms. Wiebke added that she will continue to help on many of the projects that have been started at the Department of Education and pledged her support and continued involvement.

Ms. Wiebke presented the background information regarding Performance Assessment. (Please see materials in packet). Ms. Wiebke emphasized that the committees that have worked on this project want this to be job-embedded and not something that teachers would see as another hoop they would have to go through for a license to teach. The cost involved in the process that was being considered would have been prohibitive and therefore another option is being looked at with the National Board of Professional Teaching Standards. Part of this system includes a portion for a portfolio designed through a new program called Take One. Ms. Wiebke noted that the Take One program could be utilized by teachers at any given time in their career, where they take one entry of the National Board exam. Teachers can bank their score for three years as they continue the National Board Certification process. The Take One process could become the standard of the Department, however, the Department would go through the RFP process following state procurement guidelines. Ms. Wiebke added that the Department will bring rule language to the Board next month and will continue to work closely with the National Board to see how this can be accomplished.

In response to further discussion, Ms. Wiebke added that pilots will be done in cooperation with career ladder districts where a tiered system is already in place and which represents a cross-section of Arizona school communities. She noted that there are some things to be worked out, i.e. concerns about lowering the cut score, adding that the National Certification Board will assist in the decisions regarding these questions. Ms. Wiebke added that many of the higher education institutions have indicated that they are

going to include video taping as a tool in performance assessment.

Ms. Wiebke stated that proposed rule language will be brought to the State Board in March 2005 and that the Department will begin working with Procurement regarding the RFP process. Ms. Wiebke introduced Ms. Jan Amator as Ms. Wiebke's successor stating that they will continue to work closely together as Ms. Wiebke will stay actively involved in this process.

Ms. Hilde commended Ms. Wiebke on a job well done that includes the creation of the rubric for Performance Assessment and many other issues that have been handled completely and thoroughly.

D. Presentation, Discussion and Consideration To Approve the Proposed Procedures for the Approval of Professional Preparation Programs.

Ms. Kathy Wiebke, Deputy Associate Superintendent for Highly Qualified Professionals, Arizona Department of Education, presented the background information as provided in the materials packet and summarized the three-step process for approval. A preliminary review of all Board approved programs that are able to get Institutional Recommendations will be done. She added that in July a lottery system will be established for the 15 programs that currently have Board approval and that it will take approximately 18 months for a cycle to be established so all programs will not come due at one time.

Motion by Dr. Pedicone to approve the proposed procedures for the approval of Professional Preparation Programs. Seconded by Ms. Owen. *Motion passes.*

E. ~~Consideration to Approve Request to Budget and Accumulate in the~~ ~~Mr. Friesen~~  
~~Unrestricted Capital Section for Red Mesa Unified School District.~~

F. Presentation and Discussion of Recommended Revisions to the Final Draft of the Arizona Social Studies Academic Standards Articulated by Grade Level.

Ms. Marie Mancuso, Deputy Associate Superintendent, Standards Based Teaching and Learning, School Effectiveness Division, Arizona Department of Education, presented background and update information as per the materials provided in the packet.

Ms. Carol Warren, Education Program Specialist-Social Studies, School Effectiveness Division, Arizona Department of Education, presented the history of the Social Studies Task Force and the development process, and shared the Task Force's vision. (Please see complete information provided in packet).

Further discussion ensued regarding the implementation which will allow schools/districts one year to align with the new standards. Therefore, the 05-06 school year will be the transition period with implementation in 06-07. Ms. Mancuso added that the Department will provide supportive materials, i.e. crosswalks and instructional guidelines, to assist the schools/districts. It was noted that the Social Studies standards can be integrated into the reading program by reading about Social Studies (and Science as well) during reading instructional time. Ms. Mancuso added that the standards will be posted on the web site with a survey for public input and they will also be circulated via email and regular mail. Public forums are scheduled as follows:

- Flagstaff, March 21, NAU Cline Library, 5PM-7PM
- Tucson, March 22, Catalina HS Auditorium, 5PM-7PM
- Phoenix, March 23, Moon Valley HS, 5PM-7PM
- Phoenix, March 24, Hendricks JHS, Chandler, 5PM-7PM

Public testimony will be recorded and transcribed for the committee.

G. Presentation and Discussion Regarding Proposed Modifications to the Minimum High School Graduation Requirements for Social Studies.

Ms. Marie Mancuso, Deputy Associate Superintendent, Standards Based Teaching and Learning, School Effectiveness Division, Arizona Department of Education, presented the background information provided in the materials packet.

Mr. Craig Muse, Social Studies Coordinator, Glendale Union High School District, addressed the Board regarding the new Social Studies standards and how they relate to the current State Board rule.

Further discussion ensued addressing specifics that included:

- Approximately 80% of districts that responded to a survey are currently requiring 3 or more credits in Social Studies;
- It does not appear that this requested change will cause a significant change from what districts are doing;
- Approximately 80% of high school graduates will not go on to college so this can assist them in being informed citizens;
- Charters and smaller schools are teaching Social Studies and aligning to the community college requirements;
- Concern regarding the requirement for highly qualified teachers to teach the additional subject material;
- There was no difference in trends whether from urban or rural areas noted in the survey results/patterns;
- The recommendation for this change is reflected by the percentage of courses being offered, as noted in the survey results/patterns;
- Economics is lacking in the Social Studies curriculum;
- Sixty-seven districts responded to the survey and 90% of those responding support this proposal;
- Universities and community colleges may need to provide more economics training in their teacher preparation programs;
- Many students have available time in their senior year to accommodate this extra curriculum;
- This increase in rigor is consistent with Arizona scholar's program; and
- It is important that districts understand this issue and have time to prepare.

Ms. Mancuso noted that they will report the issues and concerns from the public forums to the State Board at the May 2005 meeting.

Ms. Hilde asked the high school renewal team to bring comments to the Special Study Session on March 14, 2005.

*The Board took a break at 11:10AM and re-convened at 11:25AM.*

H. Presentation, Discussion and Consideration to Approve Annual Science Testing for Fourth Grade, Eighth Grade and High School Biology.

Ms. Roberta Alley, Deputy Associate Superintendent, Assessment Division, Arizona Department of Education, presented the background information provided in the materials packet, noting that banking a student's score allows the student's 9<sup>th</sup> grade test score to be saved and submitted to the government at the end of the student's tenth grade. A student may re-take the test and the district will have the responsibility to re-administer the test, analyze why the student failed, and assess whether or not the student improved in their performance.

Mr. Bryan Doyle, Director of Test Item Development, Assessment Section, Arizona Department of Education, explained the blueprint development process noting that it will include the assessment in high school and all the grades will include Strands 1, 2, and 3. Information will be gathered statewide regarding where the emphasis should be on these Strands and how they should be tied into high school Biology standards.

Ms. Alley added that all 9<sup>th</sup> and 10<sup>th</sup> grade students will be required to be assessed on Biology, as it is the most universally taught science course. These results are reported to NCLB.

Mr. Horne explained that the goal is for end-of-course testing for all of the state tests including Physics, Chemistry, Earth Sciences, as well as the Social Studies courses. Testing at the end of a course would also be a way of measuring teacher-value-added.

Dr. Donna Lewis, Associate Superintendent, Accountability Division, Arizona Department of Education, recommended that the stipulation of 9<sup>th</sup> and 10<sup>th</sup> grade be omitted from the description of

high school students who will be assessed at the end of their high school biology class to read “Students in high school...” and this suggestion was implemented.

Ms. Alley added that districts will receive test reports that include individual student reports as well as roster and summative reports. An electronic file on each student will also be maintained.

Ms. Owen noted the importance of using the test data in ways to assist schools, teachers, students, etc., and asked if there was a comprehensive plan to use the data. Ms. Alley pointed out that science institutes are being held around the state and after test results have been distributed the Department will give districts instruction on how to utilize the data. A good, concise plan is being followed in developing the tests to insure that the data is valuable and useable. In addition, the results will be reported back by concept level.

Mr. Horne added that for the purpose of AYP, a school must have a certain percentage of students passing, proficient, by 2008, and by 2014 they must have 100% passing.

Motion by Dr. Nicodemus to approve annual science testing for fourth grade, eighth grade and high school biology. Seconded by Dr. Pedicone. *Motion passes.*

NOTE: Superintendent Horne made a clarification regarding the highly qualified teacher requirement for academic and/or core academic subject areas stating that the teacher should have subject matter competency in each of the academic subjects. NCLB has a definition of core academic subjects, under which mathematics, science and foreign languages are given as general subjects without breaking down into specifics. However, there is no such category for Social Studies, but Civics and Government, Economics, Arts History and Geography are listed separately. Mr. Horne added that it would appear that highly qualified teachers would be needed in each of the areas and a good faith effort is being made in this direction.

I. Presentation and Discussion of the Community Service Learning Curriculum Guidelines for Service Learning in Arizona Schools.

Ms. Jan Brite, Education Program Specialist, Career and Technical Education Division, Arizona Department of Education, presented the background information as provided in the materials packet.

Ms. Brite noted the definition of Service Learning in Arizona as a teaching methodology that enriches academic learning by engaging students in meaningful service to their schools or communities through careful integration with established curricula. (Please see materials provided in packet)

Mr. Larry Johnson, Junior High School Social Studies Teacher, Mesa Public Schools, addressed the Board explaining the Service Learning program he has developed with his 9<sup>th</sup> grade World History class, Teen Court. The students are required to prepare cases, read files, present and prosecute the cases, and then reflect to enhance their learning. At the end of the last school year there were 275 students participating and over 21,000 hours donated to Service Learning. He noted that students are learning to give back to their community through the skills they are learning in school. He cited the recidivism rate for the national Teen Court Program is less than 6% and the national recidivism rate for adults is 65%-75%, showing that this is a proven teaching methodology at all levels of education.

Dr. Pedicone noted that Mr. Johnson received the Ambassador Award this year for his success with this program.

Ms. Brite added that the partnerships with projects around the state are endless and the support is tremendous. She noted that in one community the journalism class publishes the only neighborhood newspaper for its community.

J. Consideration to Terminate Rulemaking Process for R7-2-1116 and R7-2-1116.01 and to Open a New Docket for R7-2-1116 and R7-2-1116.01 Relating to Alternative Project Delivery Methods.

Mr. Vince Yanez, Executive Director, Arizona State Board of Education, reminded the Board that originally the docket for these rules was opened on March 5, 2004. Two public hearings have been held since that date and a final draft is in process. State law requires that final rules be submitted within one year after the docket has been opened, which was March 5, 2005. Therefore, the docket should be

terminated and a new docket opened allowing the Board to continue working on this rule package. Motion by Dr. Nicodemus to terminate the rulemaking process for rules R7-2-1116 and R7-2-1116.01. Seconded by Dr. Pedicone. *Motion passes.* Motion by Ms. Owen to approve Notice of Rulemaking Docket Opening for rules R7-2-1116 and R7-2-1116.01 relating to Alternative Project Delivery Methods. Seconded by Ms. Kramer. *Motion passes.*

- K. Consideration to Approve Proposed Settlement Agreement Regarding CTB McGraw-Hill. Pursuant to A.R.S. §38-431.03 (A) (3) and (4), the Board May Vote to Go into Executive Session for Consultation and Legal Advice and/or for Instructing the Board's Attorneys Regarding the Board's Position in Connection with this Matter.

Motion by Ms. Basha to approve the proposed settlement agreement regarding CTB McGraw-Hill. Seconded by Ms. Kramer. *Motion passes.*

- L. Presentation and Discussion Regarding Complaint in the Matter Of Capella University v. Arizona State Board of Education. **The Board May Take Action Regarding Capella's Application for an Institutional Recommendation.** Pursuant to A.R.S. §38-431.03 (3) and (4), the Board May Vote to Go into Executive Session for Consultation and Legal Advice and/or For Instructing the Board's Attorneys Regarding the Board's Position in Connection with this Matter.

Motion by Dr. Pedicone to authorize legal counsel to negotiate a settlement agreement between the Arizona State Board of Education and Capella University to extend a conditional approval of the Professional Preparation Program for Capella's Educational Administration and School Psychology programs retroactively from November 30, 2004 through December 2005 in exchange for Capella's dismissing its lawsuit against the Arizona State Board of Education. Seconded by Ms. Owen. *Motion passes.*

- M. **Executive Session to Consider Legal Advice Regarding Flores v. The State of Arizona.**

No action was necessary on this item.

*Item 6N was taken out of order and discussed after Item 6J so Items 6K, 6L, and 6M could be addressed after the Executive Session.*

- N. **Presentation, and Discussion Regarding Positive Endorsements On Student Diplomas.**

Superintendent Horne stated that many AIMS scores are in excess of proficiency and proposed a positive endorsement on diplomas to recognize and give honor to those students who exceeded proficiency by focusing on the positive side of testing. Mr. Horne added that these students could also qualify for full tuition scholarships as approved by the Arizona Board of Regents (ABOR).

Dr. Nicodemus noted that some states are choosing one of three options:

- Choose test as criteria for diploma;
- The test is not criteria for a diploma but indicates a pass/fail on the diploma;
- Establish the diploma as an educational record.

She added that more information regarding AIMS is still needed and that she did not feel comfortable at this time with adding another layer of designations to the process.

As further discussion ensued, the following points were raised:

- Consideration of confidentiality issues;
- Focus on bringing more students to meet the minimum standards;
- Legislature will determine if AIMS is to be a high stakes test;
- Positive endorsement is a benefit whether or not the test is required;
- Proposal is to put this notation on the diploma unless the Board recommends that it be on the transcript instead or in addition to the diploma;

- Student would maintain the diploma as a confidential record and can release it at their own discretion;
- Caution to not create division in the population;
- Caution regarding putting the notation on transcripts;
- Caution against possible stigma;
- Could be counterproductive;
- Could give students the choice of having this notation on their record;
- Good to have a positive way of encouraging students who have done well;
- Full tuition scholarship incentives are available from the state universities if:
  - A student gets “exceeds” on three AIMS tests or gets “exceeds” on two out of three and “satisfies” on the third test;
  - A student has high honors with a 3.5 gpa and B or better in all 16 core academic subjects;
- This would be a celebration of a student’s proficiency;
- What would this mean from a future employer’s perspective;
- Where do you draw the line in terms of “distinguished” if consideration is also given to vocational accomplishments and service learning experiences as well as academic achievement;
- Work is being done to increase the opportunity for advanced placement;
- Appreciation for the efforts that are being made to reward student achievement and the scholarships from ABOR in this regard.

Superintendent Horne stated that all comments will be processed and incorporated into a proposal that will be brought back to the State Board for consideration.

Motion to move into Executive Session by Dr. Nicodemus pursuant to A.R.S. §38-431.03 (A) (3) and (4), for consultation and legal advice and/or for instructing the Board’s attorneys regarding the Board’s position in connection with a number of matters to include:

- CTB McGraw-Hill proposed settlement agreement,
- Capella University’s application for an Institutional Recommendation, and
- *Flores* matter.

Seconded by Ms. Mendoza. *Motion passes.*

*State Board adjourned to Executive Session and lunch at 12:45PM and reconvened at 2:10PM.*

*Motion at 2:15 PM by Ms. Basha to adjourn the Arizona State Board of Education and reconvene as the Arizona State Board for Vocational Education. Seconded by Ms. Kramer. Motion passes.*

# 7. ADJOURN AS THE STATE BOARD OF EDUCATION AND RECONVENE AS THE STATE BOARD FOR VOCATIONAL EDUCATION

- A. Consideration to Approve Contract Abstracts For Career and Technical Education to Increase the Amount of the Learn and Serve America Award.

Motion by Dr. Nicodemus to approve the contract abstracts for Career and Technical Education as provided in materials packet. Seconded by Ms. Kramer. *Motion passes.*

# 8. ADJOURN

Motion at 2:18PM by Ms. Basha to adjourn. Seconded by Dr. Pedicone. *Motion passes.*